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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/823,709	04/14/2004	Hiroyoshi Tsuruta	ED-US020438	5227
22919	7590	12/11/2007		
GLOBAL IP COUNSELORS, LLP 1233 20TH STREET, NW, SUITE 700 WASHINGTON, DC 20036-2680			EXAMINER JOHNSON, MATTHEW A	
			ART UNIT 3682	PAPER NUMBER
			MAIL DATE 12/11/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No.		Applicant(s)	
	10/823,709		TSURUTA ET AL.	
	Examiner		Art Unit	
	Matthew Johnson		3682	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 September 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) 6 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 1-22 are objected to because of the following informalities: The recitation "in a rotational direction" is confusing language. It is understood that the crankshaft and the flywheel are connected and share a common rotational centerline. It is confusing to claim that two parts can be connected in a rotational direction. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 21 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 21 recites the limitation "wherein said fix member is a bolt" in lines 1 and 2. There is insufficient antecedent basis for this limitation in the claim. Newly presented claim 21 depends from claim 1, which has not previously recited "a fix member". (Note: the lack of antecedent basis was introduced by amendment)

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-22, are rejected under 35 U.S.C. 102(b) as being anticipated by Fukushima (USP-4,842,116).

Re clm 1: Fukushima discloses a flywheel assembly comprising:

- A flywheel (32, 36)
- A damper mechanism (38) elastically connecting (via 31) said flywheel to a crankshaft (30) in a rotational direction.
- A support member (37a) supporting and positioning said flywheel on said crankshaft in a radial direction and being supported in the radial direction by an axially projecting protrusion of the crankshaft (Fig. 3)

Re clm 2: Fukushima discloses said flywheel is formed with an inner circumferential surface (surface contacting top of 37c), and said support member is formed with an outer circumferential surface (surface contacting bottom of 37c) opposing said inner circumferential surface in the radial direction (Fig. 3)

Re clm 3: Fukushima discloses said support member has a cylindrical support portion (top of 37a) having said outer circumferential surface (Fig. 3)

Re clm 4: Fukushima discloses a radial bearing (37c) disposed between said outer circumferential surface of said support member and said inner circumferential surface (Fig. 3) of said flywheel.

Re clm 5: Fukushima discloses said radial bearing is composed of a cylindrical member (Fig. 3).

Re clms 7 and 12: Fukushima discloses said support member has a fix portion (near 31a) to be fixed to a tip of said crankshaft (Fig. 3).

Re clms 8 and 13: Fukushima discloses said fix portion is an annular flat disc like portion (Fig. 3) and said support portion extends in the axial direction from an edge of said fix portion.

Re clms 9 and 14: Fukushima discloses an inertia member (37b, C4 L55) separately formed from said support member.

Re clms 10 and 15: Fukushima discloses a fix member (31a) that fixes said support member and said inertia member to said crankshaft.

Re clms 11 and 16: Fukushima discloses said support member contacts said inertia member (via 37c) to center said inertia member in the radial direction.

Re clm 17: Fukushima discloses a flywheel assembly comprising:

- A flywheel (32, 36)
- A damper mechanism (38) elastically connecting (via 31) said flywheel to a crankshaft (30) of an engine in a rotational direction, said damper mechanism including an input member (31) attached to said crankshaft
- A support member (37a) supporting and positioning said flywheel on said crankshaft in a radial direction (Fig. 3), said input member being independent of and separate from said support member and contacting said support member (Fig. 3)

Re clm 18: Fukushima discloses a fix member (31a) to fix said support member and said input member to said crankshaft (Fig. 3).

Re clm 19: Fukushima discloses said support member contacts said input member to center said input member in the radial direction (Fig. 3).

Re clm 20: Fukushima discloses said crankshaft has an annular protrusion (below 37a) having an outer circumferential surface which supports an inner circumferential surface of said support member (Fig. 3).

Re clm 21: Fukushima discloses a fix member (31a) that is a bolt (Fig. 3).

Re clm 22: Fukushima discloses an inner radial portion (bottom of 31) of said input member contact an outer circumferential surface of said support member (Fig. 3).

### ***Response to Arguments***

6. Applicant's arguments with respect to claims 1 and 17 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

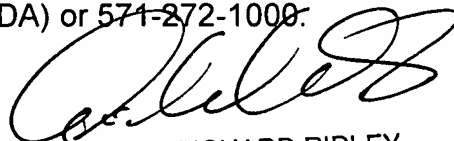
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew Johnson whose telephone number is 571-272-7944. The examiner can normally be reached on Monday - Friday 8:30a.m. - 5:00p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Ridley can be reached on 571-272-6917. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MJ

MJ 12/7/2007



RICHARD RIDLEY  
SUPERVISORY PATENT EXAMINER